

PUBLIC CHAPTER NO. 584**SENATE BILL NO. 1779****By Jackson, Harper, Marrero, Raymond Finney, Tracy****Substituted for: House Bill No. 1345****By Shepard, Gilmore, Pruitt, Rowland**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 211, relative to solid waste disposal planning.

WHEREAS, the general assembly funded a joint solid waste study by Tennessee State University and Middle Tennessee State University to determine how to divert solid waste from landfills by finding a higher value use for solid waste as raw materials in business or compost and to protect the environment; and

WHEREAS, the report from the study has been released; and

WHEREAS, the general assembly created the Tennessee Municipal Solid Waste Advisory Committee pursuant to Tennessee Code Annotated, Section 68-211-841 comprised of 15 members representing a variety of, governmental, business, and environmental interests as well as the public to advise the Commissioner of the Department of Environment and Conservation regarding solid waste management; and

WHEREAS, Tennessee can generate businesses and jobs if solid waste is used as a raw material in business; and

WHEREAS, there are safe, practical methods to divert materials from landfills to protect the waters and people of the State of Tennessee; and

WHEREAS, some landfills require remedial attention because of degraded environment; and

WHEREAS, solid waste and landfills can create issues of environmental injustice; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The municipal solid waste advisory committee is directed to develop by December 31, 2009, recommendations using input from Tennessee State University and other stakeholders in regard to as many of the following as is possible:

(1) Finding a higher value use for materials in the waste stream than landfilling; and

(2) Reducing or eliminating from the landfills food waste, yard waste, radioactive waste, household hazardous waste, chemicals, or other materials which decompose into a liquid or gas or which may increase the environmental hazards potentially created by the landfill or leachate.

Using funds available in the solid waste management fund, the department may make a grant to Tennessee State University for this work.

SECTION 2. (a) The recommendations shall:

(1) Determine how Class IV construction and demolition waste can be ground, mulched, crushed, or disposed of on the construction site;

(2) Determine the nature, amount, and source of hazardous waste in the solid waste stream and the construction and demolition waste stream;

(3) Illustrate how to use the materials in the waste stream for business, as compost, or in other ways;

(4) Identify states which have clear and concise regulations implementing such practices;

(5) Determine the components of the municipal waste stream and the construction and demolition waste stream in Tennessee including sources of hazardous waste and materials which can be composted, reused, recycled or otherwise diverted from the landfills; and

(6) Determine methods by which waste can be diverted from landfills using transfer stations, drop-off points, composting facilities or other means.

(b) The recommendations of the advisory committee shall be made available to the public, municipalities, counties, and businesses in the state so that they may be implemented and shall also be considered by the solid waste disposal control board for incorporation into rules.

(c) There is a moratorium imposed on waste from the bulk survey for release program being disposed in landfills in any county having a population of not less than one hundred eighty-two thousand (182,000) nor more than one hundred eighty-two thousand one hundred (182,100) according to the 2000 federal census or any subsequent federal census pending the results of the municipal solid waste advisory committee's recommendations which shall be submitted no later than sixty (60) days after July 5, 2007.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 12, 2007



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of June 2007



PHIL BREDESEN, GOVERNOR